

### **REMARKS/ARGUMENTS**

Claims 1-9 and 11-17 are pending in this application. Of these pending claims, Claims 1-9 and 11-17 stand rejected. By way of this paper, Claims 1, 5, 7 and 14 have been amended.

Claim 1 has been amended to better clarify the present invention in view of the cited prior art documents and to take the Examiner's responses made in the present Final Office Action into consideration. Amended claim 1 defines that the terminal has a reduced memory capacity. It is supported by the specification, on page 8, line 21. Amended Claim 1 defines automatically saving the programming agent in the terminal before executing the multimedia application. This step, included between sending the programming agent to the terminal and deleting the programming agent from the terminal, defines therefore that a single application is stored, i.e. only one program is stored at a time, on the terminal. It is supported by the specification, on page 9, lines 7-8. Moreover, claim 1 has been amended to define more clearly that the programming agent and the multimedia application are deleted from the terminal when, i.e. "from the time when", the programming agent is deactivated. It is supported by the specification, on page 5, lines 20-21 and on page 12, lines 9-12.

Claims 7 and 14 have been amended to have proper dependencies according to *37 CFR 1.75(c)* in response to the Examiner's objections.

#### ***Claim Rejections – 35 U.S.C. § 103(a)***

Claims 1-9 and 11-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansson, U.S. Patent No. 6,023,620, in view of Matsunami et al., U.S. Patent No. 6,775,830, and further in view of Wolfe et al., U.S. Patent Application Publication No. 2005/0027846. Applicants respectfully request reconsideration in view of the foregoing amendments and the following remarks.

Applicants respectfully submit that Hansson in view of Matsunami et al., and further in view of Wolfe et al., do not disclose, teach, or suggest the process as claimed in the present application. Applicants therefore respectfully request that the

Examiner reconsiders and withdraws the rejection of the claims under 35 U.S.C. 103(a).

As already explained in detail in the response to the Office communication mailed on October 5, 2009, and in the response to the Final Office communication mailed on March 31, 2010, and again in the response to the Office communication mailed on August 23, 2010, Hansson does not disclose or suggest in particular, as recited in claim 1 of the present application, to automatically delete the old software of Hansson following its execution on the terminal, that is, automatically deleting the programming agent and the multimedia application, from the time when the programming agent is deactivated.

Matsunami et al. discloses, in a computer system, a method for efficiently installing a program in a plurality of computers, in order to reduce the operating cost for the maintenance and the management of the system (see, in Matsunami et al.: column 2, lines 15-18). Matsunami et al. does not address the problem of a device, such as a terminal, having a reduced memory capacity. Therefore, Matsunami et al. does not contemplate or incite that only one application program should be stored at the same time into the terminal to avoid blocking a memory in the terminal.

The process defined in amended claim 1 of the present application solves the problem, unrecognized in Hansson or Matsunami et al., of deleting overloaded and memory consuming executable application programs that reduce memory space of a terminal. The claimed solution to this problem is to have a single application stored and activated on the terminal which is then automatically destroyed when deactivated after its use (see, in the present application: page 8, lines 14-16). Matsunami et al. teaches that an install agent 132 can start an installer program on each one of a plurality of computers and that each computer, upon receipt of the install agent, stores it in the local logical unit 13. Matsunami et al. teaches that the programs distributed to the computer 2 can be stored in the local logical unit LU 13 of each computer 2 (see, in Matsunami et al.: column 8, lines 22-25). Matsunami et al. also teaches that the install agent 132 can be implemented as a program resident in the

computer 2 (see, in Matsunami et al.: column 9, lines 21-22). Matsunami et al. teaches several programs used by the computer 2 and stored in the local LU 13 of the computer (see, in Matsunami et al.: column 6, lines 42-49; figure 5). All these information do not prompt the skilled person to arrive at the process defined in amended claim 1 of the present application, wherein only one multimedia application program is stored at the same time as the programming agent into the terminal, and wherein the programming agent and the multimedia application are automatically deleted when the programming agent is deactivating.

Matsunami et al. teaches, in column 11, lines 30-32, deleting the installer program and the install files from the shared logical unit (LU) after completion of the install work. It corresponds to a particular embodiment which allows an illegal or erroneous install work to not be carried out on a computer which has not yet obtained the license, in deleting the installer program and the install files from the LU shared between the computer intended for the install work and the other computers (see, in Matsunami et al.: column 11, lines 12-32). Deleting the installer program 141 from the shared LU 14 (see, figure 6) does not mean deleting the install agent program 132 from the local LU 13 (see, figure 5), since the install agent, stored in the local LU 13 of a computer 2, is used to load, in the memory 23 of one of a computer 2, the installer program 141 stored in the shared LU 14 of the subsystem 1 (see, in Matsunami et al.: column 9, lines 26-28 and lines 53-55; figures 1, 5 and 6).

In addition, the information, in column 9, line 22, teaching that the install agent 132 is a program “resident” in the computer 2 instructed to start the operation of the install manager, would rather deter one having ordinary skill in the computer art to infer from this teaching that deactivation of the programming agent includes automatically deleting the programming agent at the time of this deactivation.

Wolfe et al. discloses a method and a system for electronic software distribution (ESD) and management. Wolfe et al. discloses, for instance, the installation of an application on a managed client machine. ESD is the automated delivery of software to remote computer systems without human administration or intervention (see, in Wolfe et al.: paragraphs [0002],

[0003], [0011]). Wolfe et al. no longer addresses the problem of a terminal, having a reduced memory capacity. Wolfe et al. discloses that an agent 32, for example a software component, included in a managed client 20, may contact periodically or at regular intervals, remote servers 22 to process instructions (see, in Wolfe et al.: paragraphs [0032], [0043], [0044]; figures 1 and 4). It is determined that a program, or an offer icon, are downloaded or removed from a managed client (device) by the agent (see, in Wolfe et al.: paragraphs [0068] to [0070]; figure 4). As stated, for instance in paragraphs [0032] and [0069], if it is determined that a program is to be removed from a managed client, a remove script is transmitted to the agent so that the program can be uninstalled or removed. And, once the instruction is received, the agent may process the instruction to remove the program. The agent is thus installed to perform, for example periodically (see above), instructions to download or to uninstall/remove identified programs from managed clients, as it is described in paragraph [0069]. Paragraph [0077] teaches that when the software agent 32 has been downloaded/installed to the managed client 20 (terminal), additional information may further be provided if the agent is idle (inactive).

Therefore, one having ordinary skill in the computer art would have found, in Wolfe et al., removing programs from managed clients, in using the agent which processes the corresponding removal instruction. However, because the agent 32, included in the client, can be used “periodically” or can be “idle”, would not have led the skilled person to implement an agent which is automatically deleted when, or each time, it is deactivated. The teaching of Wolfe et al. to the effect that the agent is “installed”, or contacts “periodically”/“at regular intervals” servers, or is “idle”, would have rather prompt one having ordinary skill in the computer art to install a programming agent to execute instructions which is, unlike the invention defined in amended claim 1 of the present application, not deleted when it is deactivated, in order to be immediately available to process instructions to efficiently install, or to remove, applications on managed clients. Thereby, Wolfe et al. does not provide additional information to the


teachings of Hansson and Matsunami et al. to automatically delete the programming agent and the multimedia application constituted of its encoded digital data, when the programming agent is deactivated, to avoid blocking the reduced memory of the terminal.

In view thereof, it follows that the subject matter of claim 1 would not have been obvious from Hansson in view of Matsunami et al., and further in view of Wolfe et al. at the time the invention was made. Claims 2-9 and 11-17 depend upon claim 1, and are distinguishable from Hansson in view of Matsunami et al., and further in view of Wolfe et al. for at least these same reasons.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance. In view of the foregoing remarks and amendments, the claims should now be deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

  
Attorney for Applicant(s)  
Registration No. 36,678

Eugene I. Shkurko/ct  
Rochester, NY 14650  
Telephone: (585) 253-0123  
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.